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PTO/SB/21 (09-04)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number

10/614,347

Filing Date

July 8, 2003

First Named Inventor

Gregory A. Becker

Art Unit

2166

Examiner Name

Khanh B. Pham

Attorney Docket Number

PA3166US

ENCLOSURES (Check all that apply)

☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐

Reply to Missing Parts/
Incomplete Application

☐

Reply to Missing Parts
under 37 CFR 1.52 or 1.53

☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐

Petition to Convert to a
Provisional Application

☒

Power of Attorney, Revocation
Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) _____

☐ Landscape Table on CD

☐

After Allowance Communication to TC

☐

Appeal Communication to Board
of Appeals and Interferences

☐

Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

☐

Proprietary Information

☐

Status Letter

☒

Other Enclosure(s) (please identify
below):

1) Statement Under 37 CFR 3.73(b) (PTO/SB/96);

2) Statement Under 3.73(b) Chain of Title
Documents Supplemental Sheet

Remarks

Total page number does not include postcard.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Carr & Ferrell LLP

Signature

Stefanie M. Zilka

Printed name

Stefanie M. Zilka

Date

March 9, 2006

Reg. No.

45,929

CERTIFICATE OF TRANSMISSION/MAILING

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Stefanie M. Zilka, Reg. No. 45,929

Date

March 9, 2006

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gregory A. Becker et al.

ASSIGNEE: Mendocino Software, Inc.

APPLICATION NO.: 10/614,347

FILING DATE: July 8, 2003

TITLE: System and Method for Backing up a Computer System

ART UNIT: 2166

EXAMINER: Khanh B. Pham

ATTY.DKT.NO.: PA3166US (new)

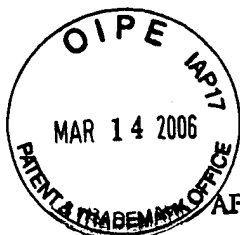
COMMISSIONER FOR PATENTS
PO BOX 1450
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STATEMENT UNDER 3.73(b)
Chain of Title Documents Supplemental Sheet

4. From: David E. Medders To: Vyant Technologies, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel: 014410 Frame: 0800, or for which a copy thereof is attached.

5. From: Michael Rowan To: Vyant Technologies, Inc.
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6. From: Vyant Technologies, Inc. To: Mendocino Software, Inc.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gregory A. Becker et al.
ASSIGNEE: Mendocino Software, Inc.
APPLICATION NO.: 10/614,347
FILING DATE: July 8, 2003
TITLE: System and Method for Backing up a Computer System
ART UNIT: 2166
EXAMINER: Khanh B. Pham
ATTY.DKT.NO.: PA3166US (new)

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REVOCATION AND POWER OF ATTORNEY

The undersigned, an authorized representative of the assignee of the entire right, title and interest in the above-referenced United States patent application, is authorized to act and sign on behalf of the assignee and hereby revokes all prior powers of attorney previously submitted in the above-referenced U.S. patent application and hereby appoint the agents and attorneys associated with Customer Number 22830 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Please direct all communication relative to this application as follows:

Customer Number 22830
CARR & FERRELL LLP
2200 Geng Road
Palo Alto, CA 94303
TEL: 650.812.3400
FAX: 650.812.3444

Respectfully submitted,

Date: March 8, 2006

By: _____

Balaji Narasimhan
Vice President
Mendocino Software, Inc.



PTO/SB/98 (11-05)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Gregory A. Becker et al.Application No./Patent No.: 10/814,347 Filed/Issue Date: July 8, 2003Entitled: System and Method for Backing Up a Computer System

Mendocino Software, Inc. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

In the patent application/patent identified above by virtue of either:

A ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:1. From: Gregory A. Becker To: Vyant Technologies, Inc.The document was recorded in the United States Patent and Trademark Office at
Reel 014410, Frame 0759, or for which a copy thereof is attached.2. From: Robert Cordon To: Vyant Technologies, Inc.The document was recorded in the United States Patent and Trademark Office at
Reel 014410, Frame 0779, or for which a copy thereof is attached.3. From: David A. Knight To: Vyant Technologies, Inc.The document was recorded in the United States Patent and Trademark Office at
Reel 014410, Frame 0782, or for which a copy thereof is attached.☒ Additional documents in the chain of title are listed on a supplemental sheet.☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Balaji Narasimhan

Printed or Typed Name

Vice President

Title

3/5/06
(510) 226-4701
Date
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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